



12/7/05

BUDGETS

SB 236 (Johnson)

Capitol Outlay budget

SB 236 includes \$155.3 in federal funding, \$20.7 million of local funds, \$54.2 million of restricted funds and \$4.3 million in general funds. A short summary of projects receiving this money includes: Authorization for construction projects for 10 University or Community College projects, a power plant at Riverside Correctional Facility, and money for state facilities special maintenance. Funding for the Detroit Zoo, which is contingent on the City of Detroit giving up ownership of the zoo to another municipality or a non-profit agency. Over \$157 million in Aeronautics funding for airport improvement and renovation projects state wide.

- Committee 1 (S-1) was adopted.
- Prusi 1A was adopted. Restore \$10 million in funding for a MTU project.
- Allen 1B was adopted.
- Goschka 1C was adopted. MSU, SVSU, WMU, Lansing Community College.
- Hammerstrom 1D was adopted. Washtenaw County Community College.
- Hammerstrom 1E was adopted. Jackson County Community College.
- Patterson 1F was adopted.
- Switalski 1G was adopted. Macomb County Community College.
- SB 236 was moved to 3rd Reading.
- SB 236 passed with IE [RC 663: 36 yes, 0 no].

SB 242 (Johnson)

Supplemental budget

SB 242 includes, among other funding: \$500,000 to fund the second half of the year for the Children of Veterans Tuition Grant Program, \$500,000 from the Clean Water Fund to pay for a Water Withdrawal Assessment Tool to be designed and developed by the Groundwater Conservation Advisory Council, \$1,000,000 in restricted revenues was appropriated from the Convention Facility Development Fund to pay for Super Bowl security increases, \$1,000,000 was added to the 21st Century Jobs Fund with language directing the money to the VanAndel Institute in Grand Rapids.

- Committee 1 (S-2) was adopted.
- Hammerstrom 1A was adopted. DCH would track all Medicare Part D complaints.
- Jelinek 1B was withdrawn.

- Sikkema 1C was adopted.
- Jelinek 1D was adopted. \$5 million for agricultural development which was vetoed by the Governor in a previous bill.
- Scott 1E was defeated. Remove \$75,000 in (special funding for) a domestic violence shelter in Barry Co (Sen. Birkholz).
- Scott 1F was defeated. \$500,000 for hepatitis C testing and treatment.
- McManus 1G was adopted.
- SB 242 was moved to 3rd Reading.
- Scott 1 was defeated [no RC]. Remove \$75,000 in (special funding for) a domestic violence shelter in Barry Co (Sen. Birkholz).
- Scott 2 was defeated. \$500,000 for Hepatitis C testing and treatment.
- SB 242 passed with IE [RC 664 36 yes, 0 no].

FINAL PASSAGE

HB 4317 (LIPSEY)

HBs 4315-17 would allow county road commissions to have not less than three members or more than five. In other words, the bill would allow, but not require, the expansion of road commission boards to up to five members.

HB 4317:

- *Committee 1 (S-1) was adopted. (10/20)*
- *HB 4317 was moved to 3rd Reading.*
- Bishop 1 was adopted. Oakland Co. shall not expand to more than 3 members.
- Gilbert 2 was adopted.
- HB 4317 passed with IE [RC 665: 31 yes, 5 no].

HB 4446 (Robertson)

House Bill 4446 provides that if an ultrasound is performed prior to an abortion, the physician shall provide a copy of the ultrasound to the patient.

- Jacobs/Hammerstrom 1 was withdrawn.
- Jacobs/Hammerstrom 2 (1 amend) was adopted.
- HB 4446 was moved to 3rd reading of Bills.
- HB 4446 passed with IE [RC 662: 36 yes, 0 no].

HB 4617 (Moolenar)

HB 4617 would require that, before a property could be considered polluted by toxic contamination, the presence of the hazardous substance would have to be determined by testing soil or water samples collected from the property according to scientifically accepted methods. This means that before being considered a polluted facility, each parcel of property would have to be tested. This issue, while initially brought up by toxic pollution along the Tittabawassee River in the Saginaw area, it would affect pollution determinations statewide.

Support: Michigan Chamber of Commerce, Michigan Realtors Association, MML, Farm Bureau, Midland County Health Department, Saginaw County Health Department, Saginaw Chamber of Commerce, Midland

Tomorrow, Tittabawassee River Voice, Midland County Home Builders Association, Midland Matters, Steelworkers Local.

Oppose: DEQ, Michigan Environmental Council, Lone Tree Council.

- Substitutes S-1 thru S-3 were superceded by passage of S-4.
- Goschka 4 (S-4) was adopted.
- Goschka 4A (1 amend) was adopted.
- HB 4617 was moved to 3rd reading of Bills.
- HB 4617 passed with IE [RC 661: 20 yes, 16 no].

HB 4798 (Van Regenmorter)

House Bill 4798 would amend the Crime Victims Rights Act to impose fines when a person is charged with a felony or relevant misdemeanor that is resolved by conviction, by assignment of the defendant to youthful trainee status, by a delayed sentence or deferred entry of judgment of guilt, or in another way that is not an acquittal or unconditional dismissal. The amount of the assessments would remain the same.

- *HB 4798 was moved to 3rd reading of Bills. No amendments.*
- **HB 4798 passed with IE [RC 666: 37 yes, 0 no].**

HB 4920 (Farhat)

House Bill 4920 would allow the Secretary of State to require a surety bond be posted prior to registration if the Secretary is not satisfied regarding ownership of a watercraft or snowmobile valued at over \$2,500. The bond would have to be for twice the value placed on the vehicle by the Secretary of State and would indemnify the Secretary, prior owner and any subsequent purchaser against costs incurred, including attorneys fees, as a result of a title being issued in error. Bond would be returned after 3 years or after the vehicle was no longer registered in Michigan and the current title was surrendered to the Secretary of State. For those valued less than \$2,500, the Secretary could require certification of ownership prior to registration. The bill also extends the time period for the Secretary of State to sell Great Lakes Protection specialty watercraft decals. The program must end under current law unless 2,000 decals were sold as of September 30, 2005. This bill will extend that to September 30, 2006. The decals sell for \$35, \$10 of which goes to administer the program and produce the decals. The other \$25 is to be used for research on aquatic nuisance species, for public education of the threat of aquatic nuisance species, and for efforts to eradicate aquatic nuisance species from the Great Lakes and other waters of the state.

- *HB 4920 was moved to 3rd reading of Bills.*
- **HB 4920 passed with IE [RC 668: 37 yes, 0 no].**

HB 5023 (Hildenbrand)

House Bill 5023 would provide that if a defendant entered a plea of guilty or no contest or if the court determined after a hearing or trial that the defendant were guilty, both of the following would apply at the time of the sentencing or, as allowed by statute, at the time entry of judgment of guilt was deferred or sentencing delayed: The court would have to impose the minimum state costs. The court could impose any fine; any cost in addition to the minimum state cost; the expenses of providing legal assistance to the defendant; and/or any assessment authorized by law, including a reimbursement.

- *HB 5023 was moved to 3rd reading of Bills. No amendments.*

- **HB 5023 passed with IE [RC 667: 37 yes, 0 no].**

HB 5025 (Hilldenbrand)

House Bill 5025 would amend the Public Health Code to remove an exemption for dental hygienists from a requirement that health professionals complete training in pain and symptom management for license renewal. Requires that registered dental hygienists are mandated to have one credit in pain management.

- *HB 5025 was moved to 3rd reading of Bills.*
- **HB 5025 passed with IE [RC 670: 34 yes, 3 no (Cassis, Garcia, George)].**

HB 5057 (Moore)

The bill would name the portion of U.S. 10 within Clare County as the “Clare County Veterans Memorial Highway”.

- *HB 5057 was moved to 3rd reading of Bills.*
- **HB 5057 passed with IE [RC 669: 37 yes, 0 no].**

THIRD READING

SB 670 (McManus)

Senate Bill 670 would allow the Department of Environmental Quality to sell parcels along Lake St. Clair in St. Clair County that are now occupied under long term leases. The sale would have to be at no less than fair market value, however the appraisal shall not include improvements such as buildings, seawalls or docks. The property will basically be appraised as marshland. Applications for a deed from the current leaseholder would be required at least one year prior to the expiration of their lease and must be accompanied by a \$500 fee. All fees and sale proceeds from these sales would be credited to the Land and Water Management Permit Fee fund and the DEQ would be allowed to charge against this fund for the administrative costs of processing leases and deed requests. For a deed to be approved, structures on the property, including seawalls, must comply with local building codes, local and state sanitation laws, and must be protected from erosion. Applicants shall provide a boundary survey completed by a professional surveyor. The state will retain ownership of property below the ordinary high water mark of Lake St. Clair at the time of the conveyance. If a lease expires without a deed being issued, the former leaseholder shall be considered trespassing. Any assignment of current leases must be approved by the DEQ. Requests for approval of assignment of a lease shall be accompanied by a \$250 fee.

- **McManus 1 (3 amends) was adopted.**
- **SB 670 was moved to 3rd Reading of Bills.**

SB 850 (Birkholz)

SB 851 (Patterson)

SB 852 (Van Woerkom)

SB 854 (Basham)

SB 857 (Brater)

REGULATE WATER WITHDRAWALS

SBs 850-57 would: 1) Require new and expanding groundwater users to get permits if they withdraw more than 2 million gallons per day. There are five facilities in Michigan that withdraw at least that amount, according to a Senate Fiscal Agency analysis. 2) Require permits for new and expanding users that take more than 5 million gallons a day from the Great Lakes or rivers connecting the lakes. 3) Bar users from extracting more than 100,000 gallons per day if the withdrawal could harm trout streams. 4) Two years after the law takes effect, prohibit users from taking more than 100,000 gallons per day if the withdrawal would hurt fish populations in other streams and lakes.

<http://www.mlive.com/newsflash/michigan/index.ssf?/base/news-30/113391565517210.xml&storylist=newsmichigan>

SB 850:

- Committee 1 (S-6) was adopted.
- Brater 1A (1 amend) was defeated. Tie-bar to SB 855 (Brater) – legislative approval would be required before new facilities would be allowed to sell Great Lakes water.
- Brater 1B (2 amends) was defeated. This would strengthen DEQ's ability to protect Michigan's water, by expanding the definition of adverse impact protections.
- SB 850 was moved to 3rd Reading.

SB 851:

- Committee 1 (S-4) was adopted.
- SB 851 was moved to 3rd Reading.

SB 852:

- Committee 1 (S-5) was adopted.
- Birkholz 1A (1 amend) was adopted.
- Basham 1B (1 amend) was defeated. Industries would have to establish best management practices, and then have to follow these practices.
- SB 852 was moved to 3rd Reading.

SB 854:

- Committee 1 (S-1) was adopted.
- SB 854 was moved to 3rd Reading.

SB 857:

- Committee 1 (S-1) was adopted.
- Brater 1A (1 amend) was withdrawn.
- SB 857 was moved to 3rd Reading.

HB 5200 (LaJoy)

House Bill 5200 would extend a prohibition against registering or transferring a vehicle registration to those with out of state convictions of laws substantially corresponding to Michigan's. These sections require a suspension, revocation or denial of an operator or chauffeur's license for a third or subsequent violation of operating while intoxicated or visibly impaired. Purchase, lease or otherwise acquiring a vehicle during the suspension or revocation period is also prohibited. Another section of the bill changes the requirement that an owner "sign the back of the certificate" when assigning a vehicle to instead require the owner to indorse the certificate "as required by the Secretary of State".

- HB 5200 was moved to 3rd reading of Bills. No amendments.

HB 5427 (Casperson)

HB 5427 would extend rules regarding sulfide mining from December 31, 2005 to January 31, 2006. The bill would ensure that rules are in place to properly regulate underground sulfide mines in the state. This type of mining, while new to Michigan, is known to produce high levels of toxic materials, including sulfuric acid. Rules to govern the mines must prevent the release of toxic contaminants into the environment that would pollute ground water and destroy the surrounding ecology of the area. To that end, a regulatory framework protecting the environment and public health must be carefully developed and consistently implemented. The bill helps to accomplish these ends by extending the rule-making deadline by one month, giving departmental specialists more time to respond to written comments that have followed upon the public hearings, and the public more time to consider the effects of nonferrous metallic mineral mining.

- Brater 1 was defeated. This would have extended the deadline from 1/31/06 to 3/31/06.
- HB 5427 was moved to 3rd Reading.